

COMMUNITY AFFAIRS

Division Of Codes And Standards

Liquefied Petroleum Gas

Payment of Annual Assessment

Proposed Amendment: N.J.A.C. 5:18-8.2; Appendix B

Authorized By: Susan Bass Levin, Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 34:1A-3(e) and 21:1B-15; Reorganization Plan No. 002-1998.

Proposal Number: PRN 2006-

Calendar: Reference: See Summary below for explanation of exception to calendar requirement..

Submit written comments by December 15, 2006 to:

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Chief, Legislative Analysis
Department of Community Affairs
PO Box 802
Trenton, NJ 08625
Fax No. (609) 633-6729
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Susan Bass Levin, Commissioner

The agency proposal follows.

Summary

The Department proposes to change the requirement that the liquefied petroleum gas (LPG) fee be paid quarterly to a requirement for semi-annual payment. At the time of the increase in the assessment fee, representatives of the LPG industry requested that the reporting period for the assessment fee be changed from quarterly to semiannually in order to reduce the administrative burden of compliance. The Department was agreeable to the change but was unable to make the amendment upon adoption because it would have been a substantive change requiring a new proposed amendment. The Department is proposing the change because it would benefit both the regulated community and the Department by reducing the amount of paperwork and checks needing to be submitted and processed and would not result in any significant loss of revenue for the Department.

In addition to the change to section 5:18 – 8.2, accompanying changes are being proposed to the assessment reporting forms in Appendix “B” to make the forms consistent with the proposed rule change. The forms are also being revised to change the year in the date from “200_” to “20__”, thus making the forms usable after 2009.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed change would have no social impact. There would be no effect on public safety or on the ability of the Department to perform safety inspections.

Economic Impact

The proposed change would reduce the volume of clerical work both for LPG licensees and for the Department, thus saving some costs. Because the reporting periods would be longer, and the money that would have been collected in the first and third quarters would not be collected until three months later than it would under current rules, there would be a minimal loss of interest to the State.. The amount of money collected quarterly through the assessment fee is about around \$50,000. Assuming an interest rate of 5%, the loss of imputed interest would be about \$625 per quarter in each of two quarters annually.

Federal Standards Statement

No Federal standards analysis is required because the rule proposed is not being proposed under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State statute that incorporates or refers to Federal law, standards or requirements.

Jobs Impact

The Department does not anticipate that the proposed amendment would result in the creation or loss of any jobs.

Agriculture Industry Impact

The Department does not anticipate that the proposed amendment would have any effect on the agricultural industry.

Regulatory Flexibility Statement

The change to the assessment payment frequency applies equally to those businesses that are subject to payment of the assessment by statute, regardless of whether they are "small businesses," as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Reporting and recordkeeping requirements already exist with regard to the annual assessment. The proposed amendment lessens those requirements by requiring that they be done twice a year, rather than four times a year. The records required for these reports would be maintained in the ordinary course of business and would not necessitate the use of professional services for that purpose.

Smart Growth Impact

The Department does not expect that this amendment would have any effect upon achievement of smart growth or implementation of the State Development and Redevelopment Plan.

Full text of the proposal follows (additions indicated in bold face **thus**; deletions indicated in brackets [thus]).

5:18-8.2 Payment of Annual Assessment

(a) (No change.)

(b) All assessments shall be payable to "Treasurer, State of New Jersey" and shall be remitted to the Bureau of Code Services, P.O. Box 816, Trenton, NJ 08625-0816 on a [quarterly] **semi-annual** basis on or before the 25th day of **January and on or before the 25th day of July of each year** [the month following the end of the quarter].

(c) - (d) (No change).

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LPG- 1

Assessment Remittance Report

This information is required for verification of assessments due on sales or import of odorized LP-Gas. Response is required by the rules adopted pursuant to N.J.S.A. 21:1B.
(All forms may be duplicated as needed for reporting BCS assessments. Additional copies of forms are available by calling or writing the Bureau of Code Services office at 609-633-6835.)

Section 1.

Company Name: _____
Mailing Address: _____
City: _____ State _____ Zip Code: _____
Contact Telephone No.: _____ Fax No.: _____

Must be completed

For BCS Use Only

This report covers the semi-annual period from _____
to _____, 20_____.

\$ Amt. Received

\$ Amt. Enclosed

Section 2.

Odorization Point (Name, City & State)	Gallons Odorized	Assessment	Amount Due
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
Total amount collected on this page:			
Total amount carried forward from - attached pages:			
Adjustments / Penalties / Interest (attach explanation):			
Total amount remitted:			\$

? Items are due no later than the 25th day of July and January (semi-annually).

- A 5 percent penalty will be due on payments received after the due date.
- Interest of 1 percent per month will be assessed on payments overdue by 30 days or more.

☐ Check here if additional sheets were required to complete your remittance report.

☐ Check here if this report is also intended to serve as your official Odorization Report.

I, the undersigned, hereby certify that I was the owner of the stated volumes of LP-Gas at the time they were odorized or imported into New Jersey and that the information contained in this report is true and accurate.

Signature of Corporate Office or Authorized Person

Printed name and title

Date

Make check payable to: Treasurer State of New Jersey. Mail form(s) and check to: *Department of Community Affairs, Bureau of Code Services, P.O. Box 816, Trenton, NJ 08625-0816*

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

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Assessment Remittance Report
(Continuation Page)

This page _____ of _____ pages submitted by _____
(Company Name)
for the semi annual period from _____ to _____ 20_____

Please sign the certification on page 1

Odorization Point (Name, City & State)	Gallons Odorized	Assessment	Amount Due
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
		x \$.00167	
Total amount figured from this page:			

Please reproduce this page as necessary to complete the Assessment Remittance Report

**STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES**

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LP-GAS ODORIZER OR IMPORTER REGISTRATION FORM

Pursuant to N.J.S.A. 21:1B, the below-named odorizer or importer of LP-Gas comes under regulation of this statute, and must register annually with the Department of Community Affairs, Division of Codes and Standards, Bureau of Code Services. (Check one of the following)

- ☐ Company is a first time odorizer or importer; or
- ☐ Company is requesting subsequent annual registration as an odorizer or importer; previously registered on _____.
(Month/Year)

Odorizer shall complete Section I & II. Importers shall complete Section I only. Both the LP-Gas odorizer and importer shall complete this form within 30 days of a change in any of the information reported on this form.

SECTION I (For Odorizers and Importers):

_____ Name			
_____ Mailing Address			
_____ City		_____ State	_____ Zip
		()	- _____ Telephone Number
_____ Contact Person		_____ Title	_____ Telephone Number

SECTION II (For Odorizers only):

_____ Odorization Facility Name	_____ Facility Contact Person
_____ Physical Address (No P.O. Boxes)	_____ Mailing Address
_____ City	_____ City
_____ State	_____ State
_____ Zip	_____ Zip
_____ County	() Area Code Telephone Number
_____ Odorization Facility Name	_____ Facility Contact Person
_____ Physical Address (No P.O. Boxes)	_____ Mailing Address
_____ City	_____ City
_____ State	_____ State
_____ Zip	_____ Zip
_____ County	() Area Code Telephone Number

**STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES**

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**LP-GAS LOAD EXEMPTION
CERTIFICATE OF LP-GAS DESTINED FOR EXPORT**

Pursuant to N.J.S.A. 21:1B, deliveries of liquefied petroleum gas (LPG) destined for export to destinations outside the State of New Jersey are exempt from the fee on deliveries of odorized LP-Gas.

I hereby certify that this load of LP-Gas introduced into the following means of conveyance is for export and will be in continuous movement to a destination outside the State of New Jersey.

Tank Manufacturer

Tank Serial No.

Water Capacity

Under penalties prescribed in Section 21:1B-5 of the New Jersey Statutes, I hereby declare that I am authorized to sign this report, and that the information stated herein is true, correct and complete to the best of my knowledge.

Net Gallons Delivered

Printed Name

Product Delivered

Name of Company

Delivery Date

Loading Facility Location

Time of Day

Mailing Address of Company

Bill of Lading Number

City

State

Zip

Authorized Signature

Title

RETURN TO:

State of New Jersey
Department of Community Affairs
Division of Codes and Standards
Bureau of Code Services
P.O. Box 816
Trenton, New Jersey 08625-0816

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

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LP-GAS MONTHLY USAGE REPORT

FOR THE PERIOD FROM _____ TO _____ 20____

PURCHASER: COMPANY NAME & ADDRESS	TOTAL GALLONS	TOTAL ASSESSMENT (1/6^h of one cent per gallon)
TOTALS		

☐ **No LPG sold during this month.**

Assessments are in accordance with Title 21:1B-15 and are due by the 25th day of the months of January and July.

I certify that the above information is true and correct.

Signature & Title

Date

Company Name & Phone Number

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STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

LP-GAS ASSESSMENT REFUND REQUEST

NAME OF COMPANY _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

I hereby request a refund in the amount of \$ _____ from the Bureau of Code Services. This refund is requested for the following reason(s).

Supporting export and payment documentation must accompany this request. Examples of appropriate supporting export documentation include bills of lading, shipping manifests and load tickets. Examples of appropriate supporting payment documentation include invoices, ledgers and journal entries tied to export documents.

Under penalty prescribed in **N.J.S.A. 21:1B-5**, I hereby declare that I am authorized to sign this report and that the information stated herein is true, correct and complete to the best of my knowledge.

RETURN TO:

Department of Community Affairs
Bureau of Code Services
P.O. Box 816
Trenton, New Jersey 08625-0816

Authorized Signature

Printed Name

()
Area Code Telephone Number

Date

STATE OF NEW JERSEY
Department of Community Affairs
Division of Codes and Standards
BUREAU OF CODE SERVICES

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LP-GAS ODORIZATION REPORT FOR TERMINAL OPERATORS

The LP Gas Act (N.J.S.A. 21:1B) requires the following information be submitted to assist in verifying sales of odorized LPG. This report must be filed with the BCS and is due by the 25th day of the months of January and July.

Section 1.

Name of Submitter _____

Mailing Address _____

City _____ State _____ Zip Code _____

Private and Confidential

Storage cavern, terminal, and loading rack operators shall supply the following information semi annually by the 25th of the months of January, and July and shall identify the companies for whom they have provided odorizing services and the volumes of product odorized. The submitting operator may computerize this form if it will aid in submission of the information. Continuation pages may be added if more space is needed. All information submitted to the Bureau of Code Services will be kept strictly confidential and will be used only for verification of BCS assessments submitted by producers, marketers and others, responsible for payment of the assessments required by the LP-Gas Act.

This report is for the period from _____
to _____ 20_____.

For BCS Use Only

\$ Amt. Received

Reviewed by

This is page 1 of _____ pages.

(Please use continuation pages if more space is required)

Section 2.

Odorization Services to:	For BCS Use	Place of Odorization	Gallons Odorized

I, the undersigned, hereby certify that the information contained in this Odorization Report is true and accurate.

Signature of Corporate Office or Authorized Person

Printed name and title

Date

Mail form(s) no later than the 25th of month for the reporting period as required to: *Department of Community Affairs, Bureau of Code Services, P.O. Box 816, Trenton, NJ 08625-0816*

Please use continuation pages if more space is required